

Miller & Rhoads

Mail Orders Filled at Advertised Prices.

New Japanese China \$1.50 Value \$1

Hundreds of Gift Suggestions in This Dep't.

We import our Japanese China direct, thus saving at least 33 1-3 per cent. on each piece. This lot has just gotten here from Yokohama via Vancouver, B. C.

This year the decorations are unusually rich.

While we have this China at practically all prices between 10c and \$25, we'll call your especial attention to-day to a particularly fine showing at \$1.

Vases of all kinds, 6 to 14 inches high; Chocolate Pots, Milk Jars, Cracker Jars, Fern Dishes, Salad Bowls, Cake Plates, Syrup Pitchers & Plates, Comb & Brush Trays, etc.

You'll not get these pretty decorations anywhere else, & anything similar will cost you at least \$1.50. Our price, \$1.

Fit companions for the above in the category of gift things are some beautiful pieces of AUSTRIAN CHINA, with a few FRENCH PIECES at 60c; actual \$1 value.

Celery Trays, Oatmeal Sets, Cracker Jars, Platters, Footed Bonbon Dishes, etc. These decorations in colors and gold are especially rich on these pieces. It's another case of direct importing, with its resultant saving.

From now until Christmas you shouldn't miss visiting this department daily—there's a world of suggestions here, & the cost of the merchandise is but little.

KNOCKS OUT SYSTEM THAT TEMPTS GRAFT

Referees in Bankruptcy Can Only Receive Statutory Compensation, Says Federal Court.

HAS FAR-REACHING EFFECT

To Permit Lower Decree to Stand Would Lead to Abuses and Bring Court into Disrepute.

The United States Circuit Court of Appeals in an important case, argued by Judge Edmund Waddill, Jr., and handed down yesterday in the case of Bray, trustee of Evansville Contract, bankrupt, vs. Johnson, former referee in bankruptcy for the Northern District of West Virginia, at Parkersburg, holds that referees in bankruptcy are not entitled to receive in any "form or guise" anything other than their statutory compensation for services in such capacity.

Big Amount Involved.

The Evansville Contract Company, engaged in the execution of certain large contracts for the United States government for the building of dams, was adjudged a bankrupt, and the cause referred to George W. Johnson, referee. The creditors of the bankrupt, upon petition of the trustee, and with the consent of the United States District and Circuit Courts of Baltimore, with which company the bankrupt company was under bond, went before the referee, who ordered that the trustee proceed to complete the contracts.

Trustee's certificates were issued for large sums of money to carry on the work. Approximately \$480,000 was handled by the trustee. At the completion of the contracts about \$28,000 was realized as a result of the undertaking by the creditors and trustee.

During the progress of the work the referee presented a petition to the court, asking for an interpretation of the bankruptcy act in so far as it related to the compensation to which he was entitled. The court, by its decretal order, adjudged that he was entitled to the compensation of a referee, and that the trustee should be paid a commission of 1 per cent. on \$480,000.

Issue was duly joined on this petition and a decree entered, holding, in effect, that he was entitled to the compensation of a referee, and that the trustee should be paid a commission of 1 per cent. on \$480,000.

Judge Waddill, in his opinion, recited all of the facts in the case at length, discussing many phases of the situation. It was brought out that the amendment to the original act specifying the compensation to be paid referees in bankruptcy, emphasizing the meaning of the previous provision, provides that "neither the referee nor the trustee shall in any form or guise receive, nor shall the court allow them, any other compensation for their services than that expressly authorized and prescribed in this act."

The general orders prescribed by the Supreme Court for the enforcement of the bankruptcy law, also expressly prohibits this charge by the referee, in that it provides that "the compensation for referees prescribed by this act shall be in full compensation for all services performed by them under the act, or under these general orders."

Judge Waddill holds that the claim here asserted is clearly not authorized by the original bankruptcy act, nor under the amendments, and cites the fact that section 74 of the amendments expressly prevents referees from pensioning, and expressly prohibits the receiving in "any form or guise" anything other than his statutory compensation, and expressly prohibits the court from making such an allowance.

"The reason why this allowance cannot and should not be made or thought of for a moment," says the court, "is apparent. The courts are authorized to continue the business of bankrupts, and this referee exercises that authority, which, in passing, it may be said to be a transaction of this magnitude, without the express sanction of the court, was of exceedingly doubtful propriety, and the issuance of trustee's certificates for \$750,000 or indeed for any amount assuming it should be done in a bankruptcy case at all, should manifestly not be thought of by a referee. The temptation, if a referee should thus increase his compensation, to err, would be too great."

"Serious questions involving the personal interest, upon which he would have judicially to pass, would be continually presented, and the result of such a system would soon be disastrous, and brings the courts of bankruptcy into disrepute. To have the pay of a referee acting in a purely judicial capacity, receiving a particular transaction, in which he acts for and on behalf of the court, measured by the extent of the fund that might be handled under and in pursuance of decrees and orders entered by himself, would be as anomalous as it would be unfortunate, because of the delicate and embarrassing position in which he would be constantly placed, as manifestly his personal and financial interest in what he was doing would frequently arise, and result in having his best motives impugned. This case affords a striking illustration of why such a thing should not be done, and the consequences that could be expected to flow therefrom."

The decree of the lower court awarding to Johnson the additional sum asked for is reversed, with costs, as well upon the application for review as upon the appeal.

T. D. CROUCH RESIGNS

Superintendent of County Almshouse to Leave After Long Service.

Mr. T. D. Crouch, who has been superintendent of the Henrico County Almshouse for the past year, tendered his resignation to Judge R. Carter Scott on Saturday. The paper was placed in the hands of the Board of Supervisors.

Mr. Crouch will present the matter of selecting his successor before the Board of Supervisors at the next monthly meeting. Although the appointment will be by Judge Scott, it is the duty of the board to make a recommendation.

During the years of his service as superintendent of the almshouse, Mr. Crouch has proved a most efficient officer, and much credit is due him for his long and successful career. He has been in the service of the county for many years, and his resignation is a great loss to the county.

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RENIGAR COMES HERE ON APPEAL

Lynchburger Who Got Two-Year Sentence and \$5,000 Fine Seeks to Have Verdict Set Aside.

CHARGE DISTILLERY FRAUD

Claimed That Plaintiff in Error Was Involved with Others in Serious Crime.

In the United States Circuit Court of Appeals in the case of W. H. Renigar, plaintiff in error, against the United States, which came up on a writ of error to review a judgment of the United States District Court for the Western District of Virginia, was partially argued by Walter R. Staples, of Roanoke, for the plaintiff in error, and by Thomas L. Moore, of the United States District Court for the Western District, for the defendant in error, the court adjourning for the day, pending the conclusion of the argument.

Got Two-Year Sentence.

In this cause, which was entered at Lynchburg on March 21st, of this year, Renigar was sentenced to serve two years in the Federal prison at Atlanta, Ga., and to pay a fine of \$5,000, predicated upon an indictment under section 5440 of the Revised Statutes, charging him, together with W. H. Phillips, Pinkney Ayres, J. N. Boardman and others unnamed with having conspired to commit various offenses against the United States, including the receipt of tax-exempt distilled spirits, concealing and aiding in the concealment of untaxed distilled spirits; giving a false notice rectifying that Pinkney Ayres was to be the owner of distillery No. 22, whereas Renigar, Ayres and Phillips were to be the owners; giving a false bond to the same effect; carrying on the business of distillers without bond as required by law; engaging in the business of distillers with intent to defraud the United States and carrying on the business of retail liquor dealers without paying the tax as required by law.

The following case was also argued: No. 525—Carolina Trust Company, petitioner, vs. W. L. Watson, respondent, on petition for review of the District Court at Raleigh, N. C. Case argued by James E. Shepherd, of Raleigh, for the petitioner, and by John W. Hines, of Raleigh, for the respondent, and submitted.

Lecture by Dr. Michaux.

Dr. Jacob Michaux will deliver a lecture on "History of Medicine and Medical Jurisprudence" at the University College of Medicine Friday evening at 8:30 o'clock.

New Federal Jury.

Juries were drawn by Clerk Joseph P. Brady, of the United States District and Circuit Courts, yesterday. The lists will be opened here next Monday.

Prominent Visitors.

Among the prominent visitors in the city last night were Judge A. A. Phelan and Captain J. R. Johnson, of Montgomery; Judge Samuel W. Williams, of Wythe; Mr. H. A. Edwards, of the Senate; Clerk M. B. Baker, of Halifax.

Meeting Postponed.

The meeting of the Subcommittee on Ordinance, Charter and Reform scheduled for last night to consider the ordinance requiring members to give notice in the sum of \$2,000, has been postponed to Friday night. The hour for the meeting was not set.

Rev. W. A. Barr's Meetings.

Rev. W. A. Barr, of Lynchburg, began a series of sermons at Memorial Church last night, which will be continued through the week. The text last night was from the sixth verse of the eleventh chapter of Hebrews.

ORDERED DRIVER TO TEAR DOWN WIRE FENCE

Hilarious Youngsters Wanted It Removed So They Could Go Through Without Ripping Their Trousers.

Frank Hughes and Alexander Battle, two young white men, well known in the county, drank too much booze yesterday morning, and were locked in the County Jail. They were being arrested by Special Officer Garrett, of the Southern Store Workers.

The fun started in the vicinity of the stove work's foundry in the West End. The hilarious youngsters encountered one of the drivers employed by the county, and ordered him to take down a barbed wire fence, through which they wished to pass. When the man refused and gave the explanation that he had not the necessary tools, they forced him to seek shelter with great haste by hurling rocks at him. Certain residents ordered him to halt the arrest with delight, declaring that the two young men had been making night hideouts with their pranks for some time.

NAME COMMITTEE TO INVEST GATE RAILROADS CAN'T USE AMBULANCE

Members of Council Delegated to Find Cause for Failure of Settling Basin Flume.

In accordance with the resolution adopted by both branches of the City Council on Saturday, President R. L. Peters, of the Common Council, and President J. B. Wood, of the Board of Aldermen, after a long conference, appointed the special investigating committee to look into the cause for the failure of the settling basin flume and to place the blame.

The committee, which is composed of three members from the Common Council and two from the Board of Aldermen, is as follows: Councilmen—Messrs. E. A. Barber, Jr., J. J. Lynch, C. P. Davis, Aldermen—Messrs. Robert Whittey, Jr., and E. D. Richardson. Mr. Barber was appointed chairman of the committee.

Both Mr. Peters and Mr. Wood have given the matter of selecting this committee a great deal of consideration, with special reference to the fitness of the men for this particular work. The committee will begin its investigation immediately.

Lectures by Dr. Perry.

Thomas lectures to be delivered at Richmond College on December 2d, 4th and 6th. Dr. Perry, editor of Atlantic Monthly, professor of belles lettres in Harvard, are as follows: December 2d, subject, "The Renaissance"; December 4th, subject, "Renaissance"; December 6th, subject, "Renaissance." All lectures to be open to the public.

Two New Fire Companies.

Two new fire companies were placed in commission yesterday, both in the annexed territory. No. 12 goes to the uptown district and No. 13 to the northeastern section of the city.

ROYALTY ELYSION MUST BUILD ROAD OR EXPLAIN WHY

Assailant of J. L. Hechler Is Sentenced to Four Years on Public Roads.

TRIED TO SHIELD HER SON

Hechler Reprimanded by Court for Interfering with Commonwealth Witnesses.

"We, the jury, find the prisoner guilty of malicious assault, and sentence him to four years in the penitentiary," was the verdict at 1 o'clock last night in the case of Royall P. Elyson, charged with beating and shooting Jacob L. Hechler on the night of August 4th. "Change it to four years on the roads," said Judge Witt, and Elyson, a fair-haired youth, scarcely in his twenties, arose with a groan and walked out of the courtroom, a convict. Immediately thereafter Messrs. Gilbert Pollock and Hunsdon Cary, counsel for Mrs. Hechler, who is charged in like respect to Elyson, moved that the case against their client be continued to the next term of court. Commonwealth's Attorney Folkes agreed to the motion, and the trial was set for the next term.

Hechler Forgets Crime.

Almost in the last stages of despair, Hechler sat on a nearby bench, a spectator and a witness in the trial of his friend. Evidently he had forgiven his wife of the crime with which he had charged her when he believed himself to be on his deathbed, for all his testimony was halting and given in a vain effort to shield the name of the woman and to clear the man who had once been the friend of both.

"I don't think they meant anything by it," he kept repeating as condemnatory statements were dragged from his faltering lips, and Judge Witt was forced severely to censure him, and to order him to keep to the evidence and not to express his own opinion.

It was shown by the statements of witnesses—Policeman Jordan and Mamie Wilkins—that Hechler had talked to them before the trial and after his discharge from the City Hospital, and had endeavored to induce them not to testify against the two prisoners. After sentencing Elyson, Judge Witt cited Hechler before him and severely reprimanded him for his interference with witnesses.

"I can be easy with you," said Judge Witt, "because your own wife is under indictment, but you must let the witnesses alone, and if I hear of any further interference with you, you will go to jail. I will reserve further action against you until after the trial of Mrs. Hechler."

Fumbling his hat, the man stood up and promised that he would tamper with the witnesses no more.

The jury was out only twelve minutes, and but two ballots were cast. The balloting was over a question of time, one side wishing to give a longer term. On the second ballot they agreed on four years.

"It was his youth and the pleading of his mother that saved him from a longer sentence," said one of the jurors afterwards.

Would Shield Son.

Mrs. Jordan, who has been married twice, made a vain effort to save her son, as did the daughter, Ruby, a young girl about sixteen years of age. During the arraignment of the prisoner, Mrs. Elyson, who is charged with the beating and shooting of her mother, was carried hysterical, and was carried shrieking from the court. Her walls reached the room even from the corridors. Mrs. Jordan sat still and dry-eyed, her stoicism was one of the spectacles of the court. As her name was mentioned by Mr. Folkes in his address to the jury, she moved from the lower end of the court room and sat by her son, straight-faced and calm. The woman who later pleaded for her son, she moved from the lower end of the court room and sat by her son, straight-faced and calm.

Mrs. Hechler's father, about eighty years old, was also in court. He sat quietly, watching what it was all about. Mrs. Hechler sat without, in the sheriff's office.

Two other very interested spectators were Butler, the man who shot and killed J. J. Halford some months ago and was acquitted, and Connor, a young man who last summer shot Miss Beelman in a store on Broad Street.

Connolly's trial is yet to come up.

Shot Him in Cold Blood.

Judging by the evidence, the Elyson-Hechler case was bad. It was proved that Elyson shot Hechler in cold blood, yelling as he shot again at the prostrate man who lay on the ground.

One time on the insurance money. It was alleged to have been a scheme concocted to get Hechler out of the way, though that remains to be proved in the trial of Mrs. Hechler. The most damaging evidence came from the truth, though he tried in every way to shield both the prisoner. The truth was dragged from him with exceedingly difficulty, main reliance being placed on his statements on the night of the shooting. Elyson himself was placed on the stand, but as he could not remember the many incidents of the night and remembered only those which bore little import, his testimony carried little weight. He was nervous, too, though he tried hard to bear up. His mother was a good witness for him. She told of his coming home that night and of his telling her that he believed he had shot Hechler.

Wanted to Go Back.

"He wanted to go back," she said, "but I persuaded him to go about his work and to let me go to the Hechlers." The Wilkins woman seemed prone to deny the truth, and long periods were given to the questioning and her answers. At one time she seemed to be on the point of refusing to answer, but Judge Witt awakened her to the seriousness of her position, and she made unwilling reply. The police gave damaging testimony also.

Elyson was defended by Colonel M. L. Spotswood. He made a valiant appeal for his client, but the case was hopeless from the first.

Mr. Bennett on Paving.

Alderman A. W. Bennett has just returned from a visit to several Northern cities where he went on business. He went to New York and Hoboken and was much impressed with the utility and durability of blinlike paving. He found some that had been laid as long as 25 years, and says it was in fine condition. Mr. Bennett thinks it preferable to nearly all other kinds of paving, paying for comfort and safety for driving purposes.

Two New Fire Companies.

Two new fire companies were placed in commission yesterday, both in the annexed territory. No. 12 goes to the uptown district and No. 13 to the northeastern section of the city.

Richmond & Henrico Officers Ordered to Restore Marshall Street to Former Condition.

MAY TAKE MATTER TO COURT

Councilman Lynch Attacks Policy of Road and Doubts Its Purposes.

At the instance of Councilman John J. Lynch, of Jefferson Ward, the Committee on Streets last night took action to compel the Richmond and Henrico Railway Company to restore Marshall Street, between Nineteenth and Twenty-first Streets, to its former condition, and to remove the pile of cobblestones in Twentieth Street at once, under penalty of being prosecuted in the Police Court.

The matter caused much discussion, and the temper of the committee was decidedly in favor of immediate action.

The City Engineer was instructed to write a letter to the proper officer of the company, requesting an answer within five days, stating when, if ever, the company expects to build the proposed viaduct over Marshall Street, from Shockoe to Church Hill. In bringing the matter up, Mr. Lynch referred to the lenient manner in which the city had treated the company, and expressed the belief that the viaduct would never be built. His resolution also required that the pedestals already constructed be so safeguarded as to protect the public from accident, and that lights be maintained upon each of them at night.

Mr. Bolling's Report.

Engineer Bolling informed the committee that he had already been in correspondence with the chief officer of the company on the subject, and that yesterday he had gone to the place in question with Messrs. Forbes, Kelley and Jenkins, informing them that the repairs to the street must be made at once. He said that in response to a question by him, they said they did not know what would be done about building the proposed viaduct.

Mr. Lynch took occasion to say while discussing the matter that all persons, contractors or what not, should be prohibited from using the streets of the city for storage purposes, and in this view the committee seemed to concur.

The ordinance recently offered to repeal the existing one limiting heavy teams to the use of two consecutive squares of smooth pavement in order to get to rough streets was tabled, and the engineer was directed to report at the next meeting what additional streets, if any, might be properly used for such purposes.

Mr. W. A. Chesterman was granted permission to connect his new flats at Adams and Franklin streets with the high pressure water standpipe in the West End. An application of the Southern Railway for permission to put in a different kind of rail at its crossings in the city from that provided by ordinance was refused.

TO REDUCE EXPENSES AT SETTLING BASIN WORKS

Committee Drops 70 Employees Until Clear Water Plant Is Ready for Operation Some Day.

Though most of the discussion in the Water Committee last night had reference to the settling basin, little was said of the same, members being inclined to let the matter rest until the report of the special investigating committee has been received.

Alderman Grundy called attention to the fact that the same number of men are now being employed at the settling basin as would be necessary if it were in full operation, and that the same number of men are now being employed at the settling basin as would be necessary if it were in full operation, and that the same number of men are now being employed at the settling basin as would be necessary if it were in full operation.

In order to avoid legal action in case any one should fall in the coagulating basin, the wall of which is unprotected, the committee requested bids for the erection of a wooden picket fence around the side of the basin. There is enough money to the credit of the settling basin to cover this expense without calling for an extra appropriation.

Councilman Garber, the only man who opposed the erection of the fence, stated that he thought it unnecessary, and suggested as a safe and much cheaper expedient the suspension of a ladder down the side of the wall, saying that most people could swim, and before drowning would paddle to the ladder and crawl out. Some one said that the danger was to children and others who had neglected aquatics in their training, as well as to the swimmers. The opposition was withdrawn.

Police Court Cases.

Mrs. Lucy Brown failed to appear in the Police Court this morning charged with the assault on the negro who was found a few days ago dead in the mouth of the Ohio Chesapeake and Ohio Railway tunnel near the station at New River. His mother, it is believed, is living in Hardwire, and the detectives are trying to communicate with her.

Dead Man Named Mosley.

Detective Sergeant McMahon yesterday discovered the body of a man who was found a few days ago dead in the mouth of the Ohio Chesapeake and Ohio Railway tunnel near the station at New River. His mother, it is believed, is living in Hardwire, and the detectives are trying to communicate with her.

Case Postponed.

Postponement was asked and granted yesterday in the suit of the Richmond Realty Company against Jake Wells for \$15,000 on account of the sickness of Mr. Wells. The suit is alleged to have been taken from the old Allen Hotel at Ninth and Broad Streets by Stephen A. Allen, for whom Mr. Wells went surety.

NEITHER FIRE SERIOUS

Flames Burst Out on Olly Floor in Hardware Store, but Quickly Extinguished.

Two fire alarms came in yesterday afternoon, but neither was of a serious nature. The severest was in the Howell Brothers hardware store at No. 605 East Broad Street. Some one dropped a light on the cellar floor over which oil had leaked, and in a second the flames were blazing. The flames were running up the walls. Four engine companies and a truck responded to the alarm.

Extraordinary Opportunities for Every Man and Boy in Richmond

Gans-Rady Company

Announce the inauguration of ANOTHER SALE this morning which will eclipse in value-giving every preceding sale—The backward season has given us some unprecedented buying opportunities—Men's Suits, Overcoats—and Raincoats, Boys Suits—Overcoats—and Reefers, and Men's and Boys' Hats—all figure in this sale, which will mean the saving of many dollars to you—

Cravenette Raincoats Worth up to \$18.00 Fall Top Coats Choice \$10.75 Winter Overcoats

Whenever we advertise anything—irrespective of price—you can rest assured that the quality is dependable and the make beyond question—So whilst \$10.75 is a very small price—the wearing qualities are guaranteed by us—

Coats worth up to \$18.00, Choice \$10.75.

Cravenette Raincoats Worth up to \$20.00 Fall Overcoats Choice \$12.75 Winter Overcoats

The garments in this division are made of Superior Cloth, and are more costly in make than the garments advertised above at \$10.75—the assortment is desirable and the fit beyond question—

Raincoats and Overcoats, \$12.75 for up to \$20 values